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5 UNITED STATES DISTRICT COURT
6 CENTRAL DISTRICT OF CALIFORNIA

7 DENGSHU "JOHN" HU,
8 Plaintiff,

Case No. CV11-06515-JAK(JEMx)

9 vs.

10 TOFASCO OF AMERICA, INC., a
11 California corporation, MACSPORTS
12 INC., a California corporation, NEXTAR
13 INC., a California corporation, Edward
Zheng, an individual, and DOES 1
through 100, inclusive,

JUDGMENT

JS-6

14 Defendants.

Date Action Filed: July 1, 2011
Trial Date: November 27, 2012

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17 This matter came before the above-captioned Court for a bench trial on
18 November 27, 28, and 29, 2012. Plaintiff Dengshu "John" Hu ("Plaintiff") appeared
19 through his counsel, Jack W. Chao of the Law Offices of Jack W. Chao. Defendants
20 Tofasco of America, Inc. ("Tofasco"); Macsports, Inc. ("Macsports"); and Edward
21 Zheng ("Zheng") (collectively, "Defendants"), appeared through their counsel,
22 Edson K. McClellan and Joseph Naddour of Rutan & Tucker, LLP.

23 On February 13, 2012, Plaintiff filed a Second Amended Complaint against
24 Defendants (Dkt. 42), but did not include any claims against Defendant Nextar Inc.
25 ("Nextar"). Accordingly, Nextar was excluded from this action on February 13,
26 2012. (*See* Dkt. 64 (Order Re Plaintiff's *Ex Parte* Applications).)

27 On November 27, 2012, during the first day of trial, the Court dismissed
28 Plaintiff's Seventh Cause of Action against Defendants Tofasco and Zheng.

1 On December 30, 2013, the Court issued a Memorandum of Decision re:
2 Bench Trial (Dkt. 186) ("Order"). The Court found that Defendants prevailed on all
3 claims. Specifically, the Court found Defendants Tofasco and Macsports prevailed
4 against Plaintiff on Plaintiff's First, Second, Third, Fourth, and Sixth Causes of
5 Action of the Second Amended Complaint. In addition, the Court found Defendant
6 Zheng prevailed against Plaintiff on Plaintiff's Fifth Cause of Action. In the Order,
7 the Court instructed Defendants to submit a proposed judgment consistent with the
8 Order. Defendants hereby submit this Proposed Judgment.

9 **NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED**
10 **that:**

11 1. Judgment is entered in favor of Defendants Tofasco and Macsports and
12 against Plaintiff on Plaintiff's First, Second, Third, Fourth, and Sixth Causes of
13 Action of the Second Amended Complaint.

14 2. Judgment is entered in favor of Defendant Zheng and against Plaintiff
15 on Plaintiff's Fifth Cause of Action of the Second Amended Complaint.

16 3. Judgment is entered in favor of Defendants Tofasco and Zheng and
17 against Plaintiff on Plaintiff's Seventh Cause of Action of the Second Amended
18 Complaint.

19 4. Judgment is entered in favor of Defendant Nextar and against Plaintiff.
20 Nextar was excluded from this action on February 13, 2012.

21 5. Pursuant to Federal Rule of Civil Procedure 54(d)(1), Defendants, as
22 the prevailing parties, shall be entitled to recover their costs in connection with this
23 action. Defendants shall submit a Bill of Costs to the Clerk of Court within 14 days
24 after entry of this Judgment.

25 Dated: January 31, 2014



Honorable John A. Kronstadt